

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WILLIE SMITH,

Plaintiff,

vs.

HOMES, *et al.*,

Defendants.

3:13-cv-00202-MMD-WGC

ORDER

Willie Smith, a Nevada inmate incarcerated at Ely State Prison, submitted a *pro se* Civil Rights Complaint (received April 19, 2013), but has not paid the required filing fee of \$350 or filed a complete application to proceed in *forma pauperis*. Plaintiff has failed to include the required financial certificate signed by an authorized prison official or copies of his prison accounts as required by Local Rules of Special Proceedings, rule 1-2.. *See also* 28 U.S.C. § 1915 (a)(2).

However, plaintiff will be given an opportunity to filed a complete application or pay the filing fee.

IT IS THEREFORE ORDERED that plaintiff's application to proceed in *forma pauperis* (ECF No. 1) is **DENIED without prejudice**. The Clerk shall send to plaintiff a form and instruction for filing an application to proceed in *forma pauperis*.

IT IS FURTHER ORDERED that plaintiff shall have thirty days from the entry of this

1 Order to file a complete in *forma pauperis* application, including the financial affidavit and account
2 records. Failure to timely file the application or pay the full \$350 filing fee may result in this action
3 being dismissed.

4 Dated, this 10 day of June, 2013.

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7 UNITED STATES MAGISTRATE JUDGE
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